

**MINUTES OF THE  
SAN JOSE/SANTA CLARA  
TREATMENT PLANT ADVISORY COMMITTEE**  
City Hall, City Manager's Office, 17<sup>th</sup> Floor, Room 1734  
Thursday, August 15, 2013 at 4:30 p.m.

**1. ROLL CALL**

Minutes of the Treatment Plant Advisory Committee convened this date at 4:30 p.m. Roll call was then taken, with the following members in attendance:

Committee members: Jose Esteves, John Gatto, Kansan Chu, Pat Kolstad, Patricia Mahan, Madison Nguyen, Chuck Reed, Ed Shikada, Chuck Page

**2. APPROVAL OF MINUTES**

**A. June 13, 2013**

Item 2.A was approved 7 – 1 (1 abstention).

**3. UNFINISHED BUSINESS/REQUEST FOR DEFERRALS**

**4. DIRECTORS REPORT**

**A. Directors Verbal Report:**

**Ashwini Kankak, Assistant Director of the Environmental Services Department and Dave Sykes, Director of Public Works, gave a presentation entitled "San Jose-Santa Clara Regional Wastewater Facility Capital Improvement Program: Program and Project Delivery".**

**Committee member Gatto requested that future program management overviews include end results.**

**Committee member Chu would like future reports to include descriptions of how program elements fit together.**

**Committee member Shikada requested that Public Works return to TPAC with an update on benchmarking, program oversight, and checks and balances.**

**Committee member Esteves requested a separate section describing funding in future reports on program management.**

5. **AGREEMENTS/ACTION ITEMS**

A. **Annual Insurance Renewal Policy**

Staff Recommendation: Accept the informational memo.

**The Annual Insurance Renewal Policy will be considered by the San Jose City Council on September 24, 2013**

**Motion by Committee Member Nguyen, second by Committee Member Mahan to approve item 5.A. Item 5.A. was approved unanimously.**

B. **First Amendment to Master Agreement with ERM-West, Inc., for Environmental Health and Safety Consulting Services**

Staff Recommendation: Approve the First amendment to the Master Agreement with ERM-West Inc. for environmental health and safety consulting services to increase the total compensation by \$300,000 for a maximum not to exceed amount of \$550,000.

**The First Amendment to Master Agreement with ERM-West, Inc., for environmental Health and Safety Consulting Services will be considered by the San Jose City Council on August 20, 2013**

David Wall, public, spoke on this item.

**Motion by Committee Member Mahan, second by Committee Member Nguyen to approve item 5.B. Item 5.B. was approved unanimously.**

C. **First Amendment to the Zero Waste Project Ground Lease by and between the City of San Jose and Zero Waste Energy Development Company, LLC**

Staff Recommendation: Authorize the City Manager to execute the First Amendment to the Zero Waste Project Ground Lease by and between the City of San Jose and Zero Waste Energy Development Company, LLC, permitting the tenant to sublease certain portions of the ground lease area for parking at the discretion of the City Manager.

**Deferred from June 13, 2013**

**The First Amendment to the Zero Waste Project Ground Lease by and between the City of San Jose and Zero Waste Energy Development Company, LLC will be considered by the San Jose City Council on August 20, 2013.**

David Wall, public, spoke on this item.

**Motion by Committee Member Esteves, second by Committee Member Mahan to approve item 5.C. Item 5.C. was approved unanimously.**

D. Regional Wastewater Facility Master Agreements Audit Report

Staff Recommendation: Accept the Regional Wastewater Facility Master Agreements Audit Report and recommend for Council consideration on August 20, 2013.

**The Regional Wastewater Facility Master Agreements Audit Report will be considered by the San Jose City Council on September 10, 2013.**

David Wall, public, spoke on this item.

**Motion by Committee Member Mahan, second by Committee Member Nguyen to approve item 5.D. Item 5.D. was approved unanimously.**

E. Status Report on Agreement with Telstar to Provide Temporary Staffing at the San Jose/Santa Clara Regional Wastewater Facility

Staff Recommendation: Adopt a resolution to authorize the City Manager to execute the first one-year option to extend the Agreement for August 17, 2013, through August 16, 2014 for a maximum compensation not to exceed \$1,670,000, and to execute up to three one-year options through August 16, 2017, to extend the Agreement, subject to the appropriation of funds.

**The Status Report on Agreement with Telstar to Provide Temporary Staffing at the San Jose/Santa Clara Regional Wastewater Facility will be considered by the San Jose City Council on August 27, 2013.**

David Wall, Public, spoke on this item.

**Motion by Committee Member Nguyen, second by Committee Member Gatto to approve item 5.E. Item 5.E. was approved unanimously.**

6. **OTHER BUSINESS/CORRESPONDENCE**

A. Nomination/Election of the Treatment Plant Advisory Committee Chair for Fiscal Year 2013-14

**The Treatment Plan Advisory Committee nominated and elected Mayor Chuck Reed to continue as Committee Chair for Fiscal year 2013-14.**

7. **STATUS OF ITEMS PREVIOUSLY RECOMMENDED FOR APPROVAL BY TPAC**

A. **Proposed Ordinance to Amend the San Jose/Santa Clara Water Pollution Control Plant Receiving Station Use Permit and Sewer Use Regulations**

Staff Recommendation: Approve an ordinance to amend Parts 1 and 9 of Chapter 9.08 of Title 9 of the San Jose Municipal Code to update the receiving station use permit regulations; and to amend Parts 2 and 3 of Chapter 15.14 of Title 15 of the San Jose Municipal Code to add new definitions, modify permitting and reporting requirements for certain industrial dischargers, and make other technical and conforming changes to the sewer use regulations.

**The Proposed Ordinance to Amend the San Jose/Santa Clara Water Pollution Control Plant Receiving Station Use Permit and Sewer Use Regulations was considered by the San Jose City Council on June 18, 2013.**

B. **First Amendment to the Zero Waste Project Ground Lease by and between the City of San Jose and Zero Waste Energy Development Company, LLC**

Staff Recommendation: Authorize the City Manager to execute the First Amendment to the Zero Waste Project Ground Lease by and between the City of San Jose and Zero Waste Energy Development Company, LLC, permitting the tenant to sublease certain portions of the ground lease area for passenger vehicle parking at the discretion of the City Manager.

**Item Deferred to the August 2013 Treatment Plant Advisory Committee Meeting**

C. **Distributed Control System Upgrade at the San Jose/Santa Clara Regional Wastewater Facility**

**Staff Recommendation:**

1. Approval of an agreement with ABB Inc. for a Distributed Control System Upgrade at the San Jose/Santa Clara Regional Wastewater Facility, formerly referred to as the San Jose/Santa Clara Water Pollution Control Plant, for a term beginning from the date of execution through December 31, 2015, for a total amount not to exceed \$1,814,785 for all hardware, software, professional services, and training, and;
2. Approve a 10% contingency in the amount of \$181,479 to cover unanticipated expense during the term of the agreement.

**The Approval of the Distributed Control System Upgrade at the San Jose/Santa Clara Regional Wastewater Facility was heard by the San Jose City Council on June 18, 2013.**

D. Report on Bids and Award of Contract for the 7086-WPCP Street Treatment Phase II Project

**Staff Recommendation:**

1. Award the construction contract for the WPCP Street Treatment Phase II Project to the low bidder, Wattis Construction, Inc., in the amount of \$279,598; and
2. Approve a 10% contingency in the amount of \$28,000.

**The Approval of the Report on Bids and Award of Contract for the 7086-WPCP Street Treatment Phase II Project was heard by the San Jose City Council on June 18, 2013.**

E. Report on Bids and Award of Contract for the 6835-Handrail Replacement – Phase V Project

Staff Recommendation: Report on bids and award of construction contract for 6835-Handrail Replacement – Phase V Project to the lowest responsive bidder, Rodan Builders, in the amount of \$1,254,630 and approval of a 10% contingency in the amount of \$125,463.

**The Approval of the Report on Bids and Award of Contract for the 6835-Handrail Replacement – Phase V Project was heard by the San Jose City Council on June 18, 2013.**

F. Report on Bids and Award of Contract for the 6927-DCS Fiber Optics Network Expansion Project

Staff Recommendation:

1. Award the construction contract for the CDS Fiber Optics Network Expansion Project to the lowest responsive bidder, Terry Hanson Electric, in the amount of \$589,000; and
2. Approve a 10% contingency in the amount of \$58,900.

**The Approval of the Report on Bids and Award of Contract for the 6927-DCS Fiber Optics Network Expansion Project was heard by the San Jose City Council on June 18, 2013.**

G. Plant Master Plan Update – June 2013

Staff Recommendation: Accept this progress report highlighting activities since November 2012 on the Draft Plant Master Plan for the Regional Wastewater Facility.

**The Approval of the Plant Master Plan Update – June 2013 is scheduled to be considered by the San Jose City Council on August 13, 2013.**

H. Execute a Purchase Order with Tucker Construction

Staff Recommendation: Authorize the City Manager to:

1. Exercise the second of four one-year options to renew an Open Purchase Order with Tucker Construction (San Jose, CA) for the period July 1, 2013 through June 30, 2014, with total compensation not to exceed \$300,000 for tank and walkway/concrete repair services at the San Jose-Santa Clara Regional Wastewater Facility ("Plant").
2. Increase funding as required based on City facility needs and availability of funding consistent with the scope of the purchase order.
3. Exercise the remaining options to renew the purchase order subject to the appropriation of funds.

Desired Outcome: Repair of expansion joints and associated concrete at the Plant.

**The Approval of the Execution of Purchase Order with Tucker Construction was heard by the San Jose City Council on June 18, 2013.**

**Items 7 A-H were approved to note and file.**

8. REPORTS

A. Open Purchase Orders Greater Than \$100,000

The attached monthly Procurement and Contract Activity Report summarizes the purchase and contracting of goods with an estimated value between \$100,000 and \$1.08 million and of services between \$100,000 and \$270,000.

**Item 8.A was approved to note and file.**

9. MISCELLANEOUS

The next TPAC meeting is September 12, 2013, at 4:30 p.m. City Hall, City Manager's Office, 17th Floor, Room 1734

10. PUBLIC COMMENT

**David Wall presented a speaker card on various topics.**

11. ADJOURNMENT

- A. The Treatment Plant Advisory Committee adjourned at 5:00 p.m.



Chuck Reed, Chair  
Treatment Plant Advisory Committee